

MESSAGE NO: 7151206 MESSAGE DATE: 05/31/2007

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-351-838

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2006 TO 01/31/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR CERTAIN FROZEN WARMWATER SHRIMP FROM BRAZIL (A-351-838)

MESSAGE NO: 7151206

DATE: 05 31 2007

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 351 - 838

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PERIOD COVERED: 02 01 2006 TO 01 31 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR CERTAIN FROZEN
WARMWATER SHRIMP FROM BRAZIL (A-351-838)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE

COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY. CERTAIN FROZEN WARMWATER SHRIMP FROM BRAZIL (A-351-838), FOR THE PERIOD 2/01/2006-1/31/2007, LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

ACARAU PESCA DISTR. DE PESCADO IMP. E EXP. LTDA
AMAZONAS INDUSTRIA ALIMENTICIAS SA
AQUACULTURA FORTALEZA AQUAFORT SA
AQUAFEED DO BRASIL LTDA
AQUATICA MARICULTURA DO BRASIL LTDA
ARTICO S.A.
BRAMEX BRASIL MERCANTIL LTDA
CAMANOR--PRODUTOS MARINHOS LTDA
CIDA CENTRAL DE IND. E DISTRIBUICAO DE ALIMENTOS LTDA
CINA CIA NORDESTE DE AQUICULTURA ALIMENTACAO
COMPESCAL--COMERCIO DE PESCADO ARACATIENSE LTDA
COMPEX INDUSTRIA E COMERCIO DE PESCA E EXPORTACAO LTD

EMPRESA DE ARMAZENAGEM FRIGORIFICA LTDA
GUY VAUTRIN IMPORTACAO & EXPORTACO
INTERMARIN SERVICIOS NAUTICOS
IPESCA
ITA FISH--S.W.F. IMPORTACAO E EXPORTACAO LTDA
J K PESCA LTDA.
LEARDINI PESCADOS LTDA.
LUSOMAR MARICULTURA LTDA.
MARICULTURA NETUNO SA
MARICULTURA RIO GRANDENSE
MARICULTURA TROPICAL
MARINE MARICULTURA DO NORDESTE SA
MM MONTEIRO PESCA E EXPORTACAO LTDA.
MUCURIBE PESCA LTDA., EPP.
NATAL PESCA
NETUNO ALIMENTOS S.A.
NORTE PESCA SA

ORION PESCA LTDA.
PESQUEIRA MAGUARY LTDA.
POTIGUAR ALIMENTOS DO MAR LTDA
POTIPORA AQUACULTURA LTDA.
PRODUMAR--CIA EXPORTADORA DE PRODUTOS DO MAR
QUALIMAR COMERCIO IMPORTACAO E EXPORTACAO LTDA.
SANTA LAVINIA COMERCIO E EXPORTACIO LTDA.
SECOM AQUICULTURA COMERCIO E INDUSTRIA SA.
SM PESCADOS INDUSTRIA COMERCIO E EXPORTACAO LTDA
SOHAGRO MARINA DO NORDESTE SA
TECMARES MARICULTURA LTDA.
TORQUATO PONTES PESCADOS SA
VALENCIA DA BAHIA MARICULTURA SA

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD (2/01/2006-1/31/2007) OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE (02/2006) ANNIVERSARY MONTH (72 FR 17100, 04/06/2007). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE

DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY OFFICE: O2:AB)).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party